

**NEVADA DEPARTMENT OF CORRECTIONS  
ADMINISTRATIVE REGULATION  
330**

**EMPLOYEE RESIGNATION & REINSTATEMENT/REHIRE**

**Supersedes:** AR 330 (06/17/12) and AR 330 (Temporary, 03/11/13)  
**Effective Date:** 03/19/13

**AUTHORITY**

NRS 209.131; 284.155; 284.330; NAC 284.170; 284.386; 284.439; 284.444; 284.602, 42 U.S.C. § 15601, *et seq.* and 28 C.F.R. Part 115

**RESPONSIBILITY**

The Human Resources Division Administrator is responsible for personnel actions related to the issues of reinstatement and rehire.

Appointing Authorities are required to have knowledge of, and conform to the requirements of this regulation.

**330.01 RESIGNATIONS**

1. An employee who desires to resign should complete and submit the State of Nevada Resignation from State Service or Notice of Transfer to Another Agency, form NPD-45, located in the Stewart shared drive/ Human Resources/Forms.

A. Unless the Appointing Authority and employee agree to a shorter period of time, an employee who wishes to resign shall submit their NPD-45 to their supervisor at least 2 weeks before resigning. If an employee fails to comply with the required 2 week notice, the Human Resources Division will note the insufficient notice.

B. The completed NPD-45 should be forwarded to the Human Resources Division immediately.

C. The employee must report to the Human Resources Division to complete their final paperwork.

D. Non-custody employees will surrender their ID card. Custody employees will surrender both their ID card and their state issued badge to the Human Resources Division.

E. All other state issued property (keys, equipment, laptops, etc) must be surrendered to the

supervisor, prior to the completion of the employee's final paperwork.

2. The Human Resources Division shall:

A. Collect employee ID cards and Peace Officer badges. Contact will be made with the employee's supervisor to verify that all agency issued items have been returned.

B. Provide information regarding the State of Nevada Exit Interview Survey.

3. Resignations during an ongoing internal investigation will be documented in NOTIS.

A. Resignations during a PREA investigation will not result in a closed case. Investigation remains active until closed by IG's as mandated by PREA standards.

**330.02 REINSTATEMENT & REHIRE**

1. A former employee seeking rehire/reinstatement must apply to an open recruitment and provide a letter detailing the reasons for the resignation and interest in rehiring to the Appointing Authority or Human Resources Division, in order to be considered for reinstatement or rehire.

A. Only employees who left the Department in good standing and without prejudice pursuant to NRS 284.240 will be considered for reinstatement or rehire.

2. An Appointing Authority may approve a request to reinstate a former permanent employee within a 2 year period following resignation of employment, if the employee was separated without prejudice. The 2-year reinstatement period for an employee who has been laid off begins after their right to reemployment expires.

A. Reinstatement is not considered a competitive appointment and can be made without regard to a certified list.

B. Employees reinstated to their former position or a comparable position of the same grade will be paid at or below the step in the former position.

C. Employees reinstated to a lower grade than the former position will be paid at or below the step in the lower grade which corresponds to the base rate of pay of the former position.

3. An Appointing Authority may approve a request to rehire an employee who was previously employed.

A. A rehire is an employee who was employed with the state less than one year or has been separated from state service for longer than a 2 year period.

B. A rehire may be a competitive appointment and would require placement on a certified list as specified by the Department of Administration-Division of Human Resource Management..

C. Employees rehired to their former position, comparable position or lower grade will be paid at the lowest step of the grade of the position's class, unless a special salary request is made by the Appointing Authority and approved by the Department of Administration, Division of Human Resources Management.

4. The Human Resources Division will include the following information affixed to DOC-1025:

A. Prior service dates;

B. Any results of IG investigations, completed or pending;

(1) To include PREA action.

C. Previous evaluation;

D. Disciplinary actions;

E. Letters of appreciation.

5. The Human Resources Division Administrator must approve or deny the reinstatement or rehire requests of former employees.

A. Approved rehire/reinstatement requests will be forwarded to the Director for final review.

6. The approved rehire/reinstatement of a former permanent employee, is subject to completion and approval of a NCIC background check, the PHQ background investigative packet (not limited to NOTIS) and any other applicable PREA related checks.

A. Successful completion of a drug test, psychological test and heart/lung medical physical is mandatory if reinstated/rehired into a class with such requirements.

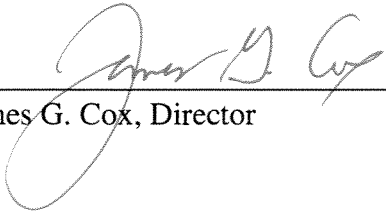
B. Failure in any portion of the required conditions of employment will result in denial of the request for reinstatement or rehire.

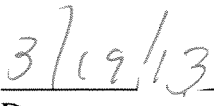
7. All employees reinstated or rehired must serve a new probationary period.

#### **APPLICABILITY**

1. This regulation applies to all Department employees.

2. This regulation requires an OP for the Department's Human Resources Division.
3. This regulation does not require an audit.

  
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James G. Cox, Director

  
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Date